

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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IN RE:

45 JOHN LOFTS LLC,
Debtor,

Chapter 11
Case No. 16-12043 (SHL)

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45 JOHN LOFTS LLC,

Plaintiff,

NOTICE OF MOTION

-against-

Adversary Proceeding
No. 16-01226 (SHL)

BLAIVAS & ASSOCIATES, P.C., DAVID BLAIVAS
and YISROEL SCHWARTZ,

Defendants.

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SIRS :

PLEASE TAKE NOTICE that upon the accompanying Memorandum of Law, the Declaration of Janice J. DiGennaro, Esq., dated November 17, 2016, and the exhibit annexed thereto and all prior proceedings and pleadings had herein, defendants, BLAIVAS & ASSOCIATES, P.C., DAVID BLAIVAS and YISROEL SCHWARTZ, by their attorneys Rivkin Radler LLP, will move this Court at the United States District Court for the Southern District of New York, 500 Pearl Street, New York, New York 10007, on a date and at a time to be set by this Court, for an order pursuant to 28 U.S.C. § 157(d), Fed. R. of Bankr. P. 5011(a) and Local Bankruptcy Rule 5011-1, withdrawing the reference of all five causes of action in the adversary proceeding to the United States Bankruptcy Court for the Southern District of New York, and severing and transferring such causes of action to this Court, together with such other and further relief as this Court deems just, proper and equitable.

Dated: Uniondale, New York
November 17, 2016

Yours, etc.

RIVKIN RADLER LLP
Attorneys for Defendants

By: /s/ Janice J. DiGennaro
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RR File No. 445/17

TO:
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